

2023 Legislative Session Bill Tracking Log

State Building Code Council

Bills of Interest

SHB 1085

Title: Reducing plastic pollution.

Sponsors: Mena (Prime), Ormsby, Kloba, Cortes, Thai, Simmons, Macri, Doglio, Walen, Berry, Pollet, Peterson, Ramel, Fitzgibbon, Reed, Bateman

Recommended Position: Neutral

Recommended Priority: Monitoring

Committee/Action: Environment & Energy

December 27: Prefiled for introduction.

January 9: First reading, referred to Environment & Energy.

January 10: Public hearing in the House Committee on Environment & Energy

January 26: Executive action; House Committee on Environment & Energy ([Committee Materials](#))

ENVI - Majority; 1st substitute bill be substituted, do pass; Minority w/o recommendation.

January 30: Referred to Appropriations.

February 6: Public hearing in the House Committee on Appropriations.

February 9: Scheduled for executive session in the House Committee on Appropriations at 4:00 PM

Bill Summary:

Section 2 mandates the SBCC to adopt rules that will require a bottle filling station or a combined bottle filling station and drinking fountain for each drinking fountain that is required under other provisions of the building code. The rules must take effect and be implemented by July 1, 2026.

The bottle filling stations are already defined in the building code and required for all E occupancies with more than 30 occupants. Group E includes schools through 12th grade and day care facilities. The requirement was adopted in 2015; it was a code change proposal from the Department of Health to combat childhood obesity. There is also a section allowing bottle filling stations to be substituted for up to 50 percent of the required number of drinking fountains in all occupancies (all buildings) that require more than two drinking fountains per floor or secured area.

This bill is intended to cover all buildings, and not only educational facilities. This rule can be adopted during the 2024 code adoption cycle; the new requirement will be included in the 2024 Uniform Plumbing Code and 2024 International Building Code as State amendments. This would need to be in effect by July 1, 2026. This can be done through normal course of business and would have no fiscal impact to SBCC.

Policy/Operational Impact on SBCC: None

Fiscal Impact on SBCC: None

Impact on Stakeholders: Uncertain

The bill may have minor impact on building owners who need to add a bottle filling station to the already required water fountain.

HB 1105

Title: Requiring public agencies to provide notice for public comment that includes the last date by which such public comment must be submitted.

Sponsors: Kloba (Prime), Abbarno, Thai

Bill Summary: Mandates SBCC, when required by law to provide notice that it is soliciting written public comment, the notice must specify the last date by which such public comment must be submitted. There is no difference from the current SBCC policies and procedures.

Committee/Action: State Government & Tribal Relations

Jan 3: Prefiled for introduction.

Jan 9: First reading, referred to State Government & Tribal Relations.

Jan 11: Public hearing in the House Committee on State Government & Tribal Relations.

Jan 17: Executive session scheduled, but no action was taken in the House Committee on State Government & Tribal Relations.

Jan 31: Executive action taken in the House Committee on State Government & Tribal Relations.

SGOV - Majority; 1st substitute bill be substituted, do pass.

Feb 2: Referred to Rules 2 Review.

Policy/Operational Impact on SBCC: None

Fiscal Impact on SBCC: None

Impact on Stakeholders: None

HB 1110 (Companion SB 5190)

Title: Increasing middle housing in areas traditionally dedicated to single-family detached housing.

Sponsors: Bateman, Barkis, Reed, Taylor, Riccelli, Berry, Fitzgibbon, Peterson, Duerr, Lekanoff, Alvarado, Street, Ryu, Ramel, Cortes, Doglio, Macri, Mena, Gregerson, Thai, Bergquist, Farivar, Wylie, Stonier, Pollet, Santos, Fosse, Ormsby

Recommended Position: Neutral

Recommended Priority: High

Bill Summary: This bill doesn't have mandates for the SBCC. However, there are definitions and provisions in the bill that may create conflicts with the WA building codes and issues with enforcement of the building codes. This will also create conflict with RCW 19.27.050.

Sections affecting the SBCC and local building departments:

Section 2 (21): Defines the term "Middle housing."

Section 2(32): Defines the term "Townhouses."

Section 3(1)(a), 3(1)(b), and 3(1)(c): Requires the local government to adopt rules requiring 4 to 6 dwelling units per each residential lot. Section 3(4)(a) and 3(4)(b): requires the local government to only adopt "objective development and design standards for the development of middle housing." This has the potential to conflict with other local ordinances regarding various design criteria such as building heights, setback requirements and buffer zones.

Committee/Action: House Housing

January 4: Prefiled for introduction.

January 9: First reading, referred to Housing.

January 17: Public hearing in the House Committee on Housing.

February 7: Scheduled for executive session in the House Committee on Housing.

Policy and/or operational impacts - None

Annual fiscal impact - None

HB 1167
SHB 1167

Title: Concerning residential housing regulations.

Sponsors: Duerr, Low, Walen, Reed, Bateman, Ramel, Fitzgibbon, Taylor, Macri, Gregerson, Wylie, Pollet, Kloba, Tharinger

Recommended Position: Neutral

Recommended Priority: High

Written testimony submitted to the Housing Committee.

Committee/Action: House Housing

January 6: Prefiled for introduction.

January 9: First reading, referred to Housing.

January 19: Public hearing in the House Committee on Housing.

January 26: Executive session scheduled, but no action was taken in the House Committee on Housing

February 2: Executive action taken in the House Committee on Housing.

February 7: Referred to Appropriations.

Bill Summary:

Section 2(1): Requires the SBCC to convene a work group for the purpose of recommending the additions or amendments to rules or codes that are necessary for the council to adopt to apply the international residential code to multiplex housing and exempt multiplex housing from the international building code. These recommendations shall include those code changes necessary to ensure public health and safety in multifamily housing under the international residential code.

Section 2(2): Specifies the work group shall provide its recommendations to the council in time for the council to adopt or amend rules or codes as necessary for implementation in 2025. The council shall take action to adopt additions and amendments to rules or codes as necessary to apply the international residential code to multiplex housing by December 1, 2024.

Section 2(3): Defines "multiplex housing" as a building with up to six dwelling units consolidated into a single structure with common walls and floors and a functional primary street entrance, or a building of up to three stories containing up to six dwelling units consolidated into a single structure.

Section 3(3)(a): Prohibits a city or county from imposing any regulations, reviews, or standards on multiplex housing that is not applied to detached single family residences, except when necessary for fire and life safety.

Section 3(3)(c): Cities that meet the criteria in RCW 19.27.060(4) may not require more than a single stairway in residential buildings of six or fewer stories that meet the conditions in RCW 19.27.060(3).

Section 4(3): Allows the legislative body of a county or city, in exercising the authority provided under subsection (1) of this section, to amend the code enumerated in RCW 19.27.031(1)(b), to adopt amendments that allow for up to five stories of group R-2 occupancy to be served by a single exit if several conditions are met.

Section 4(4)(a): A city that intends to adopt amendments under subsection (3) of this section must meet the following criteria prior to adoption:

- The city is served by a municipal fire department or fire district.
- The city does not have a current restriction on development due to lack of fire flow capacity as set forth in WAC 246-290-221. Minimum fire flow capacity must be at least 750 gallons per minute for 60 minutes, as set forth in WAC 246-293-640.

Section 1(4)(b): Further specifies that nothing precludes a city from making a determination that the city does not have appropriate fire apparatus or hydrant networks to serve single stairwell buildings.

Section 5: Requires the office of regulatory assistance to contract with a qualified external consultant or entity to develop a standard plan set demonstrating a prescriptive compliance pathway that will meet or exceed all energy code regulations for residential housing in the state subject to the international residential code. The standard plan set may be used, but is not required, by local governments and building industries. In developing the standard plan set, the consultant shall, at a minimum, seek feedback from cities, counties, building industries, and building officials. The standard plan set must be completed by December 31, 2023.

Difference with the original bill:

- The substitute bill authorizes a county or city to adopt amendments to its building code that allow for a building of no more than six stories to be served by a single exit if the building meets certain conditions and, in the case of a city, if the city is served by a municipal fire department or fire district and meets minimum fire flow capacity. The substitute bill also limits the prohibition on a city requiring more than a single stairway only to residential buildings meeting the conditions required under allowed amendments to the building code.
- The original bill required the Council to convene a work group to recommend additions or amendments to rules or codes that are necessary to apply the International Residential Code to multiplex housing and exempt multiplex housing from the International Building Code. The substitute bill requires those recommendations to include the life safety systems for multiplex housing from the International Building Code.
- The substitute bill requires the Office of Regulatory Assistance to contract with an external consultant or entity to develop an optional standard plan set that demonstrates a prescriptive compliance pathway that meets or exceeds all energy code regulations for residential housing subject to the International Residential Code.

Policy and/or operational impacts - Major

Annual fiscal impact - More than \$50,000

HB 1193

Title: Affirming that the legislature has not provided authority for the state building code council to use greenhouse gas emissions as a consideration in residential building codes or energy codes.

Sponsors: Dye (Prime), Goehner, Corry

Recommended Position: Neutral

Recommended Priority: High

Committee/Action: Environment & Energy

January 10: Referred to Environment & Energy.

Bill Summary:

Section 1: States the intent of the bill is to allow natural gas appliances in the 2021 state building code and prevent the SBCC from using greenhouse gas emissions as a factor in determining building codes.

Section 2: Provides two new sections under RCW 19.27.020 stating that (3) Nothing in this chapter provides authority for the SBCC to consider greenhouse gas emissions as a factor for code adoption and (4) The SBCC shall not restrict natural gas or natural gas appliances in residential construction unless specifically directed to do so by the legislature.

Section 3: Removes the provision in RCW 19.27A.020 directing the SBCC to help achieve the goal of zero fossil-fuel greenhouse gas emission homes and buildings.

Section 4: Adds a sentence to (1) to specify the SBCC is not authorized to consider greenhouse gas emissions in any decisions in accordance with RCW 19.27.020(2).

Section 5: Adds a sentence to the Climate Commitment Act in RCW 70A.45.020(1)(e) to specify the SBCC has not been given authority to consider the limits within part (a) when adopting rules.

Section 6: Adds a new section to RCW 19.27A specifying the SBCC may not adopt rules in the 2021 codes to limit natural gas in buildings or favor electric appliances.

Section 7: Adds an emergency clause.

Policy/Operational Impact on SBCC: Major

Fiscal Impact on SBCC: More than \$50,000

HB 1298 (Companion Bill: SB 5258)

Title: Increasing the supply and affordability of condominium units and townhouses as an option for homeownership.

Sponsors: Hutchins, Walen, Barkis, Klicker, Cheney, Bateman, Doglio, Gregerson, Leavitt

Recommended Position: Neutral

Recommended Priority: High

Testimony on SB 5258 (Oral and written)

Committee/Action: Civil Rights & Judiciary

January 13: First reading, referred to Civil Rights & Judiciary.

Bill Summary:

Section 13: Requires the SBCC to adopt building and energy code provisions for multiunit residential buildings between two and 12 units and three or fewer stories, including approval of a variety of complete building designs and styles that are compatible in size and form with single-family neighborhoods and capable of being constructed on common residential lot sizes. The purpose of this section is to direct the council to support homeownership by adopting code provisions and complete building designs that minimize the costs of design, permitting, and construction. The code provisions and building designs approved by the council will apply statewide, and a local government may modify code provisions or building designs only to decrease design, permitting, or construction costs.

Policy/Operational Impact on SBCC: Major

Fiscal Impact on SBCC: Uncertain

HB 1404 (Companion Bill: SB 5117)

Title: Reforming the state building code council, its operations and procedures, and its statutory authority.

Sponsors: Goehner, Chapman, Corry, Jacobsen, Griffey, Rude, Couture, Christian, Cheney, Barkis, Stokesbary, Barnard

Recommended Position: Neutral

Recommended Priority: High

Committee/Action: Civil Rights & Judiciary

January 18: First reading, referred to Local Government.

Bill Summary: See SB 5117

HB 1409 (Companion Bill: SB 5416)

Title: Compelling the state building code council to expand residential building code classifications.

Sponsors: Abbarno, Macri, Christian

Recommended Position: Neutral

Recommended Priority: High

Committee/Action: Local Government

January 18: First reading, referred to Local Government.

Bill Summary: Requires SBCC to adopt the R-4 Occupancy Group as detailed in IBC Section 310.5.

Policy and/or operational impacts - None

Annual fiscal impact – None

HB 1539

Title: Expediting private vocational licenses to contribute to adding affordable housing to the state.

Sponsors: Senn, Hutchins, Tharinger, Simmons, Kloba, Doglio, Bateman, Leavitt

Recommended Position: Neutral

Recommended Priority: High

Committee/Action: Local Government

January 18: First reading, referred to Local Government.

Bill Summary:

This bill doesn't directly affect the SBCC. However, the SBCC may benefit from it.

Section 1 provides the findings and clarifies the intent. The legislature finds that there is a great public interest in accelerating the building of affordable homes by having an ample supply of code officials. To that end, the legislature intends to accelerate the licensing process for entities seeking to operate private vocational schools that offer classes to train permit technicians, inspectors, plans examiners, code officials, building officials, and other related areas.

Section 2 directs the workforce training and education coordinating board to prioritize and expedite applications from entities that offer training for workers that will contribute to adding affordable housing to the state, such as permit technicians, inspectors, plans examiners, code officials, building officials, and other related fields.

Policy and/or operational impacts - None

Annual fiscal impact - None

HB 1541 (Companion Bill: SB 5616)

Title: Establishing the nothing about us without us act.

Sponsors: Farivar, Couture, Mena, Pollet, Taylor, Ortiz-Self, Street, Thai, Reed, Waters, Fosse, Caldier, Simmons, Davis, Alvarado, Schmidt, Ryu, Griffey, Ramel, Barnard, Orwall, Hackney, Bergquist, Walen, Berry, Tharinger, Peterson, Goodman, Volz, Eslick, Stonier, Gregerson, Riccelli, Ormsby, Kloba, Doglio, Bateman, Macri, Duerr

Recommended Position: Neutral

Recommended Priority: High

Committee/Action: State Government & Tribal Relations

Jan 24: First reading, referred to State Government & Tribal Relations.

Feb 3: Scheduled for public hearing in the House Committee on State Government & Tribal Relations.

Feb 10: Scheduled for executive session in the House Committee on State Government & Tribal Relations.

Bill Summary:

The bill requires the membership of any statutory entity to do the following:

- Include individuals from underrepresented populations who have direct lived experience with the identified issues the statutory entity is tasked with.
- Reflect, to the greatest extent possible, the diversity of people with direct lived experience with the identified issue or issues, including members who reside in urban and rural communities, and with differing cultural and economic circumstances.

If the membership requirements require that additional members be appointed to statutory entities created on or after the effective date of this section, or to existing statutory entities for which new appointments are being made on or after the effective date of this section, the office of equity shall be the appointing authority for the additional members. The additional members shall be voting members of the statutory entity.

The bill intends to ensure meaningful participation from people with direct lived experience on each statutorily created or statutorily mandated multimember task force, work group, advisory committee, board, commission, council, or other similar entity tasked with examining policies or issues that directly and tangibly affect historically underrepresented communities.

Policy and/or operational impacts - TBD

Annual fiscal impact – TBD

SB 5037

Title: Ensuring the Washington State Energy Code may not prohibit the use of natural gas in buildings.

Sponsors: L. Wilson (Prime), Braun MacEwen, Dozier, Fortunato, McCune, Muzzall, Schoesler, Short, Torres, Van De Wege, Wagoner, Warnick

Recommended Position: Neutral

Recommended Priority: High

Committee/Action: Environment, Energy & Technology

December 9: Prefilled for introduction.

January 9: First reading, referred to Environment, Energy & Technology.

Bill Summary:

Section 2(2)(a): Currently RCW 19.27A(2)(a) specifies that the Washington State Energy Code shall be designed to construct increasingly energy efficient homes and buildings that help achieve the broader goal of building zero fossil-fuel greenhouse gas emission homes and buildings by 2031. Section 2(2)(a) of this bill deletes the text addressing the broader goal of building zero fossil-fuel greenhouse gas emission homes and buildings.

Section 2(3): Section 2(3) adds a new mandate for the SBCC specifying that the Washington state energy code may not prohibit the use of natural gas for any form of heating, or for uses related to any appliance, in any building.

Section 3: The bill requires the secretary of state to submit this act to the people of Washington for their adoption and ratification, or rejection, at the next general election to be held in this state.

Policy/Operational Impact on SBCC: Uncertain

Fiscal Impact on SBCC: More than \$50,000

SB 5117 (Companion Bill: HB 1404)

Title: Reforming the state building code council, its operations and procedures, and its statutory authority.

Sponsors: L. Wilson, Braun, Dozier, Fortunato, Gildon, King, MacEwen, McCune, Short, and Warnick

Recommended Position: Neutral

Recommended Priority: High

Committee/Action: State Government & Elections

December 30: Prefiled for introduction.

January 9: First reading, referred to State Government & Elections.

Bill Summary: Makes major changes to the SBCC policies and procedures.

SB 5190 (Companion Bill: HB 1110)

Title: Increasing middle housing in areas traditionally dedicated to single-family detached housing.

Sponsors: Trudeau (Prime), Lovelett, Braun, J., Frame, Hasegawa, Hunt, Kuderer, Liias, Nguyen, Nobles, Pedersen, Shewmake, Wilson, C.

Bill Summary: See HB 1110

Committee/Action: S Housing

January 6: Prefiled for introduction.

January 9: First reading, referred to Local Government, Land Use & Tribal Affairs.

January 12: Executive action taken in the Senate Committee on Local Government, Land Use & Tribal Affairs.

January 13: Referred to Housing.

January 25: Public hearing in the Senate Committee on Housing

February 8: Executive session in the Senate Committee on Housing.

SB 5258 (Companion Bill: HB 1298)

Title: Increasing the supply and affordability of condominium units and townhouses as an option for homeownership.

Sponsors: Shewmake, Gildon, Billig, Liias, Lovick, Nguyen, Nobles, Randall, Wellman

Recommended Position: Neutral

Recommended Priority: High

Testimony on SB 5258 (Oral and written)

Committee/Action: Law & Justice

Jan 11: First reading, referred to Law & Justice.

Jan 23: Public hearing in the Senate Committee on Law & Justice.

Feb 9: Scheduled for executive session in the Senate Committee on Law & Justice.

Bill Summary: See HB 1298

SB 5416 (Companion Bill: HB 1409)

Title: Compelling the state building code council to expand residential building code classifications.

Sponsors: Braun, Kuderer, King, Mullet, Rolfes, Shewmake, Wilson, J., Wilson, L.

Recommended Position: Neutral

Recommended Priority: High

Committee/Action: State Government & Elections

January 17: First reading, referred to State Government & Elections.

Bill Summary: Requires the SBCC to immediately adopt the R-4 Occupancy Group as detailed in the International Building Code Section 310.5.

SB 5553

Title: Authorizing standards for temporary emergency shelters for local adoption.

Sponsors: Lovelett, Robinson, Conway, Nguyen, Nobles, Wellman, Wilson, C.

Recommended Position: Neutral

Recommended Priority: High

Committee/Action: Local Government, Land Use & Tribal Affairs

Jan 25: First reading, referred to Local Government, Land Use & Tribal Affairs.

Feb 7: Scheduled for public hearing in the Senate Committee on Local Government, Land Use & Tribal Affairs.

Bill Summary: Section 1(3) requires the SBCC to adopt, by July 1, 2026, standards for temporary emergency shelters and make them available for local adoption.

Policy and/or operational impacts - None

Annual fiscal impact - None

SB 5491

Title: Allowing for residential buildings of a certain height to be served by a single exit under certain conditions.

Sponsors: Salomon, Shewmake, Frame, Liias, Stanford

Recommended Position: Neutral

Recommended Priority: High

Testimony (Senate Committee on Local Government, Land Use & Tribal Affairs).

Committee/Action: Local Government, Land Use & Tribal Affairs

Jan 20: First reading, referred to Local Government, Land Use & Tribal Affairs.

Feb 2: Public hearing in the Senate Committee on Local Government, Land Use & Tribal Affairs.

Bill Summary:

Section 1(3): Allows the legislative body of a county or city, in exercising the authority provided under subsection (1) of this section to amend the code enumerated in RCW 19.27.031(1)(b), to adopt amendments that allow for up to five stories of group R-2 occupancy to be served by a single exit if several conditions are met.

Section 1(4): A city that intends to adopt amendments under subsection (3) of this section must meet the following criteria prior to adoption:

- The city is served by a municipal fire department or fire district
- The city does not have a current restriction on development due to lack of fire flow capacity as set forth in WAC 246-290-221. Minimum fire flow capacity must be at least 750 gallons per minute for 60 minutes, as set forth in WAC 246-293-640.

Section 1(4) further specifies that nothing precludes a city from making a determination that the city does not have appropriate fire apparatus or hydrant networks to serve single stairwell buildings.

Policy and/or operational impacts - None

Annual fiscal impact - None

Title: Establishing housing approval requirements that will eliminate Washington's housing shortage.

Sponsors: Braun, Kuderer, Gildon, Dozier, Fortunato, Lias, Lovick, Wilson, L.

Recommended Position: Neutral

Recommended Priority: High

Committee/Action: State Housing

Jan 27: First reading, referred to Housing.

Feb 1: Public hearing in the Senate Committee on Housing.

Feb 10: Scheduled for executive session in the Senate Committee on Housing at 10:30 AM (Subject to change).

Bill Summary:

Section 2(1) requires cities, counties and towns that have authority to approve or deny permits or other similar approvals necessary for the construction of new homes to approve the construction of enough new homes to eliminate their share of Washington's total housing shortage, as calculated under subsection (2) of this section, through 2033.

Section 2(2) specifies that the department of commerce is responsible for establishing the proportional share of Washington's total housing shortage using the best available data. Best available data must include analyses and projections produced by private sector with expertise in housing supply trends. Commerce must complete its calculation no later than December 1, 2023, and must report the number of new homes that must be created through 2033 in order to eliminate Washington's housing shortage.

Section 2(3) requires cities, counties and towns, beginning January 1, 2024, to regularly evaluate its locally enacted codes, ordinances, plans, and regulations to determine whether its locally enacted requirements related to the construction of new homes will impede the county, city, or town's ability to eliminate its proportional share of Washington's housing shortage. Where a county, city, or town determines that its locally enacted requirements will stand as an impediment, the county, city, or town is encouraged to amend its locally enacted requirements to remove the impediments.

Section 2(4) requires counties, cities, and towns to send a report with findings to the department of commerce when a county, city, or town identifies a state-enacted requirement that will impede the county, city, or town's ability to approve the construction of a sufficient number of new homes to eliminate the county, city, or town's proportional share of Washington's total housing shortage. The same section requires the department of commerce to regularly forward such reports to the governor, lieutenant governor, chief clerk of the house of representatives, and secretary of the senate.

Section 2(5) clarifies that the legislature intends to review the reports received under subsection (4) take appropriate action to amend state-enacted requirements for the purpose of ensuring that counties, cities, and towns will be able to eliminate their proportional share of Washington's total housing shortage.

Section 3(2)(b): Clarifies that no earnings or investments or balances in the local real estate excise tax account may be distributed to a county, city, or town that does not comply with the conditions and requirements under section 2 of this act.

Policy and/or operational impacts - Uncertain

Annual fiscal impact – Uncertain

Title: Concerning city and town permitting of kit homes.

Sponsors: Wilson, J., Mullet, Wilson, L.

Recommended Position: Neutral

Recommended Priority: High

Committee/Action: State Government & Elections.

Feb 1: First reading, referred to State Government & Elections.

Bill Summary:

Section 1: The legislature finds that the state of Washington is in a housing crisis, and the best way to combat this crisis is to simplify and streamline the ability to build inexpensive affordable homes.

Section 2: Adds a new definition to RCW 19.27.015. Defines "Kit homes" as structures designed and constructed in a factory to sufficient life, health, and safety standards to be utilized as housing for at least 10 years to be assembled on-site with or without a permanent foundation.

Section 3: Adds a new section to RCW 19.27, which will exempt kit homes under 800 square feet on private property or on public property within a planned unit development from compliance with the building codes subject to permitting by incorporated cities or towns.

Policy and/or operational impacts - None

Annual fiscal impact - None